

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:15-cv-02122-RBW

FARAHI v. FEDERAL BUREAU OF INVESTIGATION
Assigned to: Judge Reggie B. Walton
Cause: 05:552 Freedom of Information Act

Date Filed: 12/08/2015
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**FOAD FARAHI**

represented by **Charles Davidson Swift**
CONSTITUTIONAL LAW CENTER
FOR MUSLIMS IN AMERICA
833 – E. Arapaho Rd.
Suite 102
Richardson, TX 75081
(972) 914-2507
Fax: (972) 692-7454
Email: cswift@clcma.org
ATTORNEY TO BE NOTICED

V.

Defendant**FEDERAL BUREAU OF INVESTIGATION**

represented by **Kenneth A. Adebonojo**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2562
Fax: (202) 252-2599
Email: kenneth.adebonojo@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/08/2015	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF INVESTIGATION (Filing fee \$ 400 receipt number 0090-4341816) filed by FOAD FARAHI. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Summons for Defendant FBI, # <u>3</u> Summons Summons for US Atty Office of DC as required by FRCP 4(i), # <u>4</u> Summons Summons for Attorney General of DOJ as required by FRCP 4(i))(Swift, Charles) (Entered: 12/08/2015)
12/08/2015		Case Assigned to Judge Reggie B. Walton. (sth) (Entered: 12/09/2015)
01/11/2016	<u>2</u>	REQUEST FOR CORRECTED SUMMONS TO ISSUE re <u>1</u> Complaint, filed by FOAD FARAHI. Related document: <u>1</u> Complaint, filed by FOAD FARAHI.(Swift, Charles) (Entered: 01/11/2016)
01/12/2016	<u>3</u>	SUMMONS (3) Issued Electronically as to FEDERAL BUREAU OF INVESTIGATION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 01/12/2016)
01/27/2016	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/12/2016. Answer due for ALL FEDERAL DEFENDANTS by 2/11/2016. (Swift, Charles) (Entered: 01/27/2016)
01/27/2016	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 01/13/2016. (Swift, Charles) (Entered: 01/27/2016)

01/27/2016	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 1/14/2016 (Swift, Charles) (Entered: 01/27/2016)
02/11/2016	<u>7</u>	NOTICE of Appearance by Kenneth A. Adebonojo on behalf of FEDERAL BUREAU OF INVESTIGATION (Adebonojo, Kenneth) (Entered: 02/11/2016)
02/11/2016	<u>8</u>	Consent MOTION for Extension of Time to File Answer <i>to Complaint</i> by FEDERAL BUREAU OF INVESTIGATION (Adebonojo, Kenneth) (Entered: 02/11/2016)
02/12/2016		MINUTE ORDER granting <u>8</u> Motion for Extension of Time to Answer. In light of the plaintiff's consent, and for good cause shown, it is hereby ORDERED that the defendant's Motion for Extension of Time to File Answer <u>8</u> is GRANTED, and the defendant shall respond to the Complaint by February 22, 2016. Signed by Judge Reggie B. Walton on February 12, 2016. (lcrbw1) (Entered: 02/12/2016)
02/12/2016		Set/Reset Deadline: The defendant shall respond to the Complaint by 2/22/2016, (ad) (Entered: 02/12/2016)
02/22/2016	<u>9</u>	ANSWER to Complaint by FEDERAL BUREAU OF INVESTIGATION.(Adebonojo, Kenneth) (Entered: 02/22/2016)
02/24/2016	<u>10</u>	GENERAL ORDER. Signed by Judge Reggie B. Walton on February 24, 2016. (lcrbw1) (Entered: 02/24/2016)
02/24/2016		MINUTE ORDER. To ensure the expeditious resolution of this action, and because this qualifies as an exempted case under Local Civil Rule 16.3(b), it is hereby ORDERED that the parties shall file a joint proposed schedule governing further proceedings on or before March 28, 2016. Signed by Judge Reggie B. Walton on February 24, 2016. (lcrbw1) (Entered: 02/24/2016)
02/24/2016		Set/Reset Deadline: The parties shall file a joint proposed schedule governing further proceedings on or before 3/28/2016. (ad) (Entered: 02/24/2016)
03/25/2016	<u>11</u>	STATUS REPORT <i>on Joint Proposed Schedule</i> by FEDERAL BUREAU OF INVESTIGATION. (Adebonojo, Kenneth) (Entered: 03/25/2016)
03/29/2016		MINUTE ORDER. In light of the parties' Joint Proposed Schedule <u>11</u> , it is hereby ORDERED that: (1) the FBI shall release to the plaintiff all segregable non-exempt material by April 30, 2016; (2) on or before May 31, 2016, the parties shall confer to determine whether summary judgment motions will be required; and (3) the parties shall file a Status Report by June 8, 2016, informing the Court of whether dispositive motion practice is required and proposing a briefing schedule if necessary. Signed by Judge Reggie B. Walton on March 29, 2016. (lcrbw1) (Entered: 03/29/2016)
03/29/2016		Set/Reset Deadlines: Joint Status Report due by 6/8/2016 (hs) (Entered: 03/29/2016)
06/08/2016	<u>12</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Adebonojo, Kenneth) (Entered: 06/08/2016)
06/08/2016	<u>13</u>	MOTION for Order <i>Preserving Certain Exemptions</i> by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Declaration Attachment 1, # <u>2</u> Exhibit A)(Adebonojo, Kenneth) (Entered: 06/08/2016)
10/21/2016		MINUTE ORDER. In light of the representation in the parties' Status Report filed on June 8, 2016, that the plaintiff "will file a reply [to the defendant's Motion for an Order Preserving Certain Exemptions] within 14 calendar days of being served with such a motion," and because approximately 4 months have passed since the plaintiff's response was due, it is hereby ORDERED that the plaintiff shall file his response to the defendant's motion on or before November 4, 2016. Signed by Judge Reggie B. Walton on 10/21/16. (lcrbw1,) (Entered: 10/21/2016)
10/24/2016		Set/Reset Deadlines: Plaintiff's Response due by 11/4/2016 (hs) (Entered: 10/24/2016)
11/03/2016	<u>14</u>	Memorandum in opposition to re <u>13</u> MOTION for Order <i>Preserving Certain Exemptions</i> filed by FOAD FARAH. (Attachments: # <u>1</u> Proposed Order)(Swift, Charles) (Entered: 11/03/2016)

11/14/2016	<u>15</u>	Consent MOTION for Extension of Time to <i>File a Reply to Plaintiff's Opposition to Defendant's Motion to Preserve Certain Exemptions</i> by FEDERAL BUREAU OF INVESTIGATION (Adebonojo, Kenneth) (Entered: 11/14/2016)
11/16/2016		MINUTE ORDER. Upon consideration of the defendant's <u>15</u> Motion to Enlarge Time to File a Reply to Plaintiff's Opposition to Defendant's Motion for Order Preserving Certain Exemptions, and for good cause shown, it is hereby ORDERED that the defendant's motion is GRANTED. It is further ORDERED that the defendant shall file its Reply on or before December 13, 2016. Signed by Judge Reggie B. Walton on 11/16/16. (lcrbw1) (Entered: 11/16/2016)
11/16/2016		Set/Reset Deadlines: Defendant's Reply due by 12/13/2016. (hs) (Entered: 11/16/2016)
12/13/2016	<u>16</u>	Consent MOTION for Extension of Time to <i>File a Reply to Plaintiff's Opposition to Defendant's Motion for an Order Preserving Certain Exemptions</i> by FEDERAL BUREAU OF INVESTIGATION (Adebonojo, Kenneth) (Entered: 12/13/2016)
12/15/2016		MINUTE ORDER. Upon consideration of the <u>16</u> Motion to Enlarge Time to File a Reply to Plaintiff's Opposition to Defendant's Motion for Order Preserving Certain Exemptions, and for good cause shown, it is hereby ORDERED that this motion is GRANTED. It is further ORDERED that the defendant shall file its reply on or before December 16, 2016. Signed by Judge Reggie B. Walton on December 15, 2016. (lcrbw1) (Entered: 12/15/2016)
12/16/2016		Set/Reset Deadlines: Reply due by 12/16/2016. (hs) (Entered: 12/16/2016)
12/16/2016	<u>17</u>	REPLY to opposition to motion re <u>13</u> MOTION for Order <i>Preserving Certain Exemptions</i> filed by FEDERAL BUREAU OF INVESTIGATION. (Adebonojo, Kenneth) (Entered: 12/16/2016)
01/23/2017	<u>18</u>	ORDER. For the reasons stated in the attached Order, it is hereby ORDERED that the FBI's <u>13</u> Motion for an Order Preserving Certain Exemptions, and Memorandum of Points and Authorities in Support Thereof is DENIED. It is further ORDERED that the parties shall file a joint status report on or before February 6, 2017, regarding the progress of production of responsive records and a revised proposed schedule governing further production of such records.(lcrbw1) (Entered: 01/23/2017)
01/23/2017		Set/Reset Deadlines: Joint Status Report due by 2/6/2017 (hs) (Entered: 01/23/2017)
02/06/2017	<u>19</u>	PROPOSED BRIEFING SCHEDULE <i>by Defendant</i> by FEDERAL BUREAU OF INVESTIGATION. (Adebonojo, Kenneth) Modified event title on 2/7/2017 (znmw). (Entered: 02/06/2017)
02/06/2017	<u>20</u>	PROPOSED BRIEFING SCHEDULE <i>by Plaintiff</i> by FOAD FARAH. (Attachments: # <u>1</u> Text of Proposed Order)(Swift, Charles) Modified event title on 2/7/2017 (znmw). (Entered: 02/06/2017)
02/07/2017		MINUTE ORDER. Upon consideration of the <u>19</u> Defendant's Proposed Schedule and the <u>20</u> Plaintiff's Proposed Schedule, it is hereby ORDERED that the parties shall appear for a status hearing on Wednesday, February 22, 2017, at 9:00 a.m. It is further ORDERED that the defendant shall be prepared to address the number of other pending FOIA requests it is currently processing, the amount of resources it has available to conduct those requests, and why additional resources cannot be devoted to processing the plaintiff's request. Signed by Judge Reggie B. Walton on February 7, 2017. (lcrbw1) (Entered: 02/07/2017)
02/07/2017		Set/Reset Hearings: Status Conference set for 2/22/2017 at 09:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 02/07/2017)
02/13/2017	<u>21</u>	Unopposed MOTION to Continue <i>Status Hearing</i> by FEDERAL BUREAU OF INVESTIGATION (Adebonojo, Kenneth) (Entered: 02/13/2017)
02/14/2017		MINUTE ORDER. Upon consideration of the defendant's <u>21</u> Motion to Continue Status Hearing, and for good cause shown, it is hereby ORDERED that this motion is GRANTED. It is further ORDERED that the Status Hearing currently scheduled for February 22, 2017, at 9 a.m. is hereby CONTINUED until March 7, 2017, at 9:30 a.m. Signed by Judge Reggie B. Walton on February 14, 2017. (lcrbw1) (Entered: 02/14/2017)

02/14/2017		Set/Reset Hearings: Status Conference reset for 3/7/2017 at 09:30 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 02/14/2017)
03/03/2017	<u>22</u>	NOTICE of Filing of Defendant's Declaration by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Declaration)(Adebonojo, Kenneth) (Main Document 22 replaced on 3/6/2017) (ztd). (Attachment 1 replaced on 3/6/2017) (ztd). (Attachment 1 replaced on 3/6/2017) (ztd). (Entered: 03/03/2017)
03/07/2017		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 3/7/2017. Defendant's In-Camera Submissions due by 3/21/2017. Status Conference set for 3/23/2017 at 11:30 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 03/07/2017)
03/07/2017	<u>23</u>	ORDER. In accordance with the Court's oral rulings at the status conference held on this same date, it is hereby ORDERED that the FBI shall file a sealed memorandum on or before March 21, 2017, regarding (1) the type of investigation it is currently conducting regarding the plaintiff, (2) how long it expects the investigation to remain open, (3) why the investigation has remained open for as long as counsel for the plaintiff represented to the Court, and (4) why the production of documents in response to the plaintiff's Freedom Of Information Act request would jeopardize the investigation. It is further ORDERED that the parties shall appear for a status conference on March 23, 2017, at 11:30 a.m. Signed by Judge Reggie B. Walton on March 7, 2017. (lcrbw1) (Entered: 03/07/2017)
03/21/2017	<u>24</u>	NOTICE of Submission of Defendant's Declaration to Chambers for In Camera Review by FEDERAL BUREAU OF INVESTIGATION (Adebonojo, Kenneth) (Entered: 03/21/2017)
03/23/2017		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 3/23/2017. Status Conference set for 9/26/2107 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 03/23/2017)
03/23/2017		MINUTE ORDER. In accordance with the Court's oral rulings at the status conference held on this same date, it is hereby ORDERED that the FBI shall process 500 pages of records per month and produce any non-exempt records to the plaintiff on a rolling basis. It is further ORDERED that the parties shall appear for a status conference on September 26, 2017, at 10:00 a.m. Signed by Judge Reggie B. Walton on March 23, 2017. (lcrbw1) (Entered: 03/23/2017)
09/15/2017	<u>25</u>	Unopposed MOTION for Leave to Appear by Phone for Status Conference Hearing by FOAD FARAH (Attachments: # <u>1</u> Text of Proposed Order)(Swift, Charles) (Entered: 09/15/2017)
09/15/2017		MINUTE ORDER. Upon consideration of the plaintiff's counsel's <u>25</u> Unopposed Motion for Leave to Appear by Phone, and for good cause shown, it is hereby ORDERED that this motion is GRANTED. It is further ORDERED that counsel for the plaintiff, Charles Swift, is permitted to appear by phone for the status conference scheduled for September 26, 2017, at 10:00 a.m. Signed by Judge Reggie B. Walton on September 15, 2017. (lcrbw1) (Entered: 09/15/2017)
09/25/2017	<u>26</u>	STATUS REPORT (Processing) by FEDERAL BUREAU OF INVESTIGATION. (Adebonojo, Kenneth) (Entered: 09/25/2017)
09/25/2017	<u>27</u>	MOTION to Continue Status Conference Hearing Call 10/02/2017 by FOAD FARAH (Swift, Charles) Modified event title on 9/26/2017 (znmw). (Entered: 09/25/2017)
09/26/2017		MINUTE ORDER granting <u>27</u> Unopposed Motion for Continuance. It is hereby ORDERED that the status conference scheduled for September 26, 2017 is CONTINUED to October 3, 2017, at 2:30 p.m. Signed by Judge Reggie B. Walton on September 26, 2017. (lcrbw1) (Entered: 09/26/2017)
09/26/2017		Set/Reset Hearings: Status Conference reset for 10/3/2017 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 09/26/2017)
09/27/2017		MINUTE ORDER. Upon consideration of the government's <u>26</u> Status Report (Processing), it is hereby ORDERED that the status conference scheduled for October

		3, 2017, is VACATED. It is further ORDERED that the parties shall file a joint status report on or before March 25, 2018, regarding the status of review and production in this matter. Signed by Judge Reggie B. Walton on September 27, 2017. (lcrbw1) (Entered: 09/27/2017)
09/28/2017		Set/Reset Deadlines: Joint Status Report due by 3/25/2018 (hs) (Entered: 09/28/2017)
03/26/2018	<u>28</u>	Joint STATUS REPORT by FOAD FARAH. (Swift, Charles) (Entered: 03/26/2018)
03/27/2018		MINUTE ORDER. Upon consideration of the parties' <u>28</u> Joint Status Report (Processing and Production), it is hereby ORDERED that the parties shall file a joint status report on or before September 27, 2018, regarding the status of review and production in this matter, including how many unprocessed pages of documents remain outstanding. Signed by Judge Reggie B. Walton on March 27, 2018. (lcrbw1) (Entered: 03/27/2018)
03/27/2018		Set/Reset Deadlines: Joint Status Report due by 9/27/2018 (hs) (Entered: 03/27/2018)
09/27/2018	<u>29</u>	Joint STATUS REPORT by FOAD FARAH. (Swift, Charles) (Entered: 09/27/2018)
10/03/2018	<u>30</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the parties shall appear for a status conference on October 17, 2018, at 11:00 a.m. Signed by Judge Reggie B. Walton on October 3, 2018. (lcrbw1) (Entered: 10/03/2018)
10/03/2018		Set/Reset Hearings: Status Conference set for 10/17/2018 at 11:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 10/03/2018)
10/17/2018		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 10/17/2018. Scheduling Order to issue from chambers. Status Conference set for 5/22/2019 at 09:30 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 10/17/2018)
10/17/2018		MINUTE ORDER. In accordance with the Court's oral rulings at the status conference held on this same date, it is hereby ORDERED that, on or before May 17, 2019, the parties shall file a joint status report governing further proceedings in this case, including the deadline for the defendant's production of a Vaughn index and a joint proposed briefing schedule governing the filing of dispositive motions. It is further ORDERED that the parties shall appear for a status conference on May 22, 2019, at 9:30 a.m. Signed by Judge Reggie B. Walton on October 17, 2018. (lcrbw1) (Entered: 10/17/2018)
10/18/2018		Set/Reset Deadlines: Joint Status Report due by 5/17/2018 (hs) (Entered: 10/18/2018)
05/14/2019	<u>31</u>	Consent MOTION for Extension of Time to <i>File the Parties' Status Report and Continue Status Conference</i> by FEDERAL BUREAU OF INVESTIGATION (Adebonojo, Kenneth). Added MOTION to Continue on 5/14/2019 (ztd). (Entered: 05/14/2019)
05/16/2019		MINUTE ORDER. Upon consideration of the defendant's <u>31</u> Motion to Enlarge Time to File the Parties' Status Report and Continue the Status Conference, and for good cause shown, it is hereby ORDERED that this motion is GRANTED. It is further ORDERED that, on or before June 26, 2019, the parties shall file a joint status report governing further proceedings in this case, including the deadline for the defendant's production of a Vaughn index and a joint proposed briefing schedule governing the filing of dispositive motions. It is further ORDERED that the status conference currently scheduled for May 22, 2019, is CONTINUED to July 1, 2019, at 11:00 a.m. Signed by Judge Reggie B. Walton on May 16, 2019. (lcrbw1) (Entered: 05/16/2019)
05/16/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/26/2019, Status Conference reset for 7/1/2019 at 11:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 05/16/2019)
06/26/2019	<u>32</u>	Joint STATUS REPORT by FOAD FARAH. (Attachments: # <u>1</u> Text of Proposed Order Plaintiff, # <u>2</u> Text of Proposed Order Defendant)(Swift, Charles) (Entered: 06/26/2019)
07/01/2019		Minute Entry for proceedings held before Judge Reggie B. Walton: Status Conference held on 7/1/2019. Government Motion For Summary Judgment due by 09/27/2019. Plaintiff Opposition To Motion For Summary Judgment and Cross-Motion For

		Summary Judgment, If Any, due by 12/06/2019. Government Reply To Plaintiff's Opposition To Motion For Summary Judgment And Opposition To Cross-Motion For Summary Judgment, If Any, due by 01/10/2020. Plaintiff Reply To Opposition Of Cross-Motion For Summary Judgment, If Any, due by 2/14/2020. Motion Hearing set for 5/15/2020 at 9:30 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter CATHRYN JONES.) (mac) (Entered: 07/01/2019)
--	--	---